

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

LYNNE HAMMER and)	
JAMES YARBROUGH,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.: 3:16-CV-634
)	
PUBLIX SUPER MARKETS, INC., and)	
STANLEY BLACK & DECKER, INC.)	
)	
Defendants.)	

STATEMENT OF UNDISPUTED FACTS PURSUANT TO LOCAL RULE 56.01

1. Stanley Access Technologies (a non-party) is a Delaware Limited Liability corporation created in January, 2006.

RESPONSE:

2. Defendant Stanley Black & Decker, Inc. is a separate and distinct legal entity from Stanley Access Technologies, LLC.

RESPONSE:

3. Defendant Stanley Black & Decker, Inc did not design, manufacture, produce, install or sell the automatic doors that are alleged to have injured plaintiff.

RESPONSE:

4. Defendant Stanley Black & Decker, Inc did not have any contract or agreement with Publix Super Markets, Inc. or any other person or entity to maintain the doors that are alleged to have injured plaintiff.

RESPONSE:

5, Defendant Stanley Black & Decker, Inc had no duty to maintain the doors on, before or after the date of plaintiff's injury.

RESPONSE:

6. Installation of the doors in question was completed in November, 2006 by Crain Enterprises, Inc.

RESPONSE:

7. Stanley Access Technologies, LLC performed maintenance and repair work on the doors after the date of installation until February 24, 2009.

RESPONSE:

8. Stanley Access Technologies, LLC has had no involvement with the doors since February 24, 2009.

RESPONSE:

/s/ William B. Jakes, III
WILLIAM B. JAKES, III (#10247)
HOWELL & FISHER, PLLC
300 James Robertson Parkway
Nashville, TN 37201-1107
bjakes@howell-fisher.com
Direct: (615) 921-5208
Attorney for Defendant
Stanley Black & Decker, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been placed in the United States mail, postage prepaid to:

John D. Kitch (BPR# 4569)
Stephen K. Heard (BPR#7013)
Of Counsel
Cornelius & Collins, LLP
511 Union Street, Suite 1500
P.O. Box 190695
Nashville, Tennessee 37219
615-244-1440
jdkitch@cclawtn.com
skheard@cclawtn.com
Attorneys for Plaintiff

Steven D. Parman
Watkins & McNeilly, PLLC
214 Second Ave. North, Suite 300
Nashville, Tennessee 37201
615-255-2191
steve@watkinsmcneilly.com
Attorney for Defendant Publix Super Markets, Inc.

this the 1st day of July, 2016.

/s/ William B. Jakes, III
WILLIAM B. JAKES, III